

AMENDED IN ASSEMBLY JULY 14, 2008

AMENDED IN ASSEMBLY JULY 2, 2008

AMENDED IN SENATE MAY 23, 2008

AMENDED IN SENATE MAY 6, 2008

AMENDED IN SENATE APRIL 23, 2008

AMENDED IN SENATE MARCH 26, 2008

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**SENATE BILL**

**No. 1354**

**Introduced by Senator Torlakson**

February 20, 2008

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An act relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1354, as amended, Torlakson. School facilities: construction.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. The act requires the board annually to adjust the per-unhoused-pupil apportionment for new construction to reflect construction cost changes and for modernization to reflect inflation, as set forth in the statewide cost index for class B construction as determined by the board. A school district is required, as a condition of the receipt of funds, to certify that the grant amount and local funds are sufficient to complete the school construction project for which the grant is intended.

This bill would require the Superintendent of Public Instruction to examine and evaluate the ability of school districts, as defined, to build complete schools as approved by the ~~department~~ *State Department of Education* with the funds provided by the State Allocation Board and an equal amount contributed by the school district under the Leroy F. Greene School Facilities Act of 1998 for the purpose of examining the standards to ensure that the standards achieve educational adequacy in terms of the facilities necessary for the school district to provide its educational program, assessing the level to which schools constructed with state funding assistance met standards for educational adequacy in terms of the facilities necessary for the school district to provide its educational program, and examining factors that enable them to build facilities to meet educational adequacy.

The Superintendent would be required to report the findings to the Legislature, the State Allocation Board, and the Governor *within 9 months of the initiation of the evaluation*.

~~The bill would not become operative until the Department of Finance determines that sufficient funds have been received to implement its provisions.~~

*The Superintendent of Public Instruction would be required to perform the duties specified in the bill with the existing resources of the State Department of Education. If the Superintendent of Public Instruction determines there are insufficient existing resources available to the department to implement these provisions, the Superintendent would be required to notify the Director of Finance and would be authorized to solicit and receive private funds for purposes of implementing the provisions. The Department of Finance would be required to determine when sufficient private funds have been received to implement these provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. (a) The Superintendent of Public Instruction
- 2 shall examine and evaluate the ability of school districts, as defined
- 3 in Section 17070.15 of the Education Code, to build complete
- 4 schools as approved by the State Department of Education pursuant
- 5 to Section 17070.50 of the Education Code with the funds provided
- 6 by the State Allocation Board and an equal amount contributed by

1 the school district under the Leroy F. Greene School Facilities Act  
2 of 1998 (Chapter 12.5 (commencing with Section 17070.10) of  
3 Part 10 of Division 1 of Title 1 of the Education Code). The  
4 purpose of the evaluation and examination shall be all of the  
5 following:

6 (1) Examine the standards to ensure that the standards achieve  
7 educational adequacy in terms of the facilities necessary for the  
8 school district to provide its educational program.

9 (2) Assess the level to which schools constructed with state  
10 funding assistance met standards for educational adequacy in terms  
11 of the facilities necessary for the school district to provide its  
12 education program.

13 (3) Examine factors within school districts that enable them to  
14 build facilities to meet educational adequacy.

15 (b) The Superintendent of Public Instruction shall report the  
16 findings to the Legislature, the State Allocation Board, and the  
17 Governor *within nine months of the initiation of the evaluation.*

18 ~~(e) This section shall not become operative until the Department~~  
19 ~~of Finance determines that sufficient funds have been received to~~  
20 ~~implement this section.~~

21 *(c) The Superintendent of Public Instruction shall evaluate the*  
22 *standards and examine schools, as required pursuant to this*  
23 *section, with the existing resources of the State Department of*  
24 *Education. If the Superintendent of Public Instruction determines*  
25 *there are insufficient existing resources available to the State*  
26 *Department of Education to implement this section, the following*  
27 *shall occur:*

28 *(1) The Superintendent of Public Instruction shall notify the*  
29 *Director of Finance and may solicit and receive private funds for*  
30 *purposes of implementing this section.*

31 *(2) The Superintendent of Public Instruction is not required to*  
32 *complete the duties specified in the section until sufficient funds*  
33 *are available.*

34 *(3) The Department of Finance shall determine when sufficient*  
35 *private funds have been received to implement this section. When*  
36 *the Department of Finance notifies the Superintendent of Public*  
37 *Instruction that sufficient private funds have been received, the*  
38 *Superintendent of Public Instruction shall implement this section.*

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